

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KELVIN LANEIL JAMES,
 Plaintiff,

v.

JUDGE STEVE L. DOBRESKU,
 Defendant.

Case No. 2:24-cv-00740-RFB-BNW

ORDER

Before the Court for consideration is the Report and Recommendation (“R&R”) of the Honorable Brenda Weksler, United States Magistrate Judge, dated August 26, 2024 (ECF No. 11). For the reasons explained below, the Court adopts the R&R in full

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct “any review,” *de novo*¹ or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985). No objections have been filed. The Court has reviewed the record in this case and concurs with the Magistrate Judge's recommendations.

¹ *De novo* review simply means a review by one court using the lower court’s record but reviewing the evidence and the law without deference to the lower court’s findings and rulings. See Appeal, Black’s Law Dictionary (11th ed. 2019).

1 Therefore, for the foregoing reasons, **IT IS ORDERED** that the Report and
2 Recommendation of the Magistrate Judge (ECF No. 11) is **ADOPTED** in full. The Clerk of Court
3 is instructed to close the case.

4 **IT IS FURTHER ORDERED** that the Plaintiff may move to reopen this case and vacate
5 the judgment by filing a motion for reconsideration of this order. In this motion, the Plaintiff is
6 required to explain what circumstances delayed his objection to the magistrate judge's report and
7 recommendation. If the Court finds there to be good cause or a reasonable explanation therein, the
8 Court will reopen the case and vacate the judgment.

9 **IT IS FURTHER ORDERED** that that the Plaintiff may move to reopen this case and
10 vacate the judgment by filing a motion for reconsideration of this order. In this motion, the Plaintiff
11 is required to explain what circumstances delayed his objection to the magistrate judge's report
12 and recommendation. If the Court finds there to be good cause or a reasonable explanation therein,
13 the Court will reopen the case and vacate the judgment.

14 **IT IS FURTHER ORDERED** that the Clerk of Court will provide Plaintiff Kelvin Laneil
15 James with a physical copy of the Court's Order by U.S postage.

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17 **DATED:** December 12, 2024

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE